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August 26, 2010

**Via Electronic Filing and Facsimile**

Honorable Michael A. Shipp  
United States Magistrate Judge  
M.L. King, Jr., Federal Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

**RE: Walsh Securities, Inc. v. Cristo Property Management, Ltd., et al.**  
**Civil Action No.: 97-3496 (DRD.MAS)**  
**MCT File No.: 11168**

Dear Judge Shipp:

I represent defendants, Robert Skowrenski and National Home Funding, Inc. in the above captioned matter. I write in response to Mr. Kott's letter of August 16, 2010 regarding depositions on settlement agreements, (document 411). The rules of evidence don't preclude Mr. Kott from bringing to a jury's attention the fact of a settlement and release between plaintiff and my clients. The amount paid, if any, is relevant only if Commonwealth is entitled to a credit. The calculation of a credit, if any, should abide the verdict.

Commonwealth does not cite any testimony in either the Walsh or Skowrenski depositions that indicate anything less than truthful testimony. That Commonwealth is dissatisfied with the results of its deposition questioning and the answers it received should not serve as a basis to question Mr. Skowrenski as to the actual terms of the settlement. The mere fact that there was a settlement and release should be enough for Mr. Kott's purposes.

Respectfully submitted,

  
VINCENT P. MANNING

VPM/vt

Cc: See Attached

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**MANNING, CALIENDO & THOMSON, P.A.**

**August 26, 2010**

**Page 2 of 2**

Cc: All Counsel of Record (Via e-filing)  
Martin R. McGowan, (Via Facsimile)  
Richard Calanni, *pro se* (via regular mail)  
Richard DiBenedetto, *pro se* (via regular mail)